

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

DARNELL MCGARY,

Plaintiff,

v.

KELLY CUNNINGHAM et al.,

Defendants.

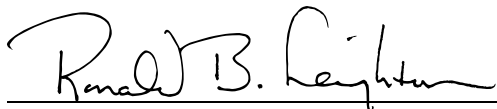
CASE NO. C13-5130 RBL-JRC

ORDER

The Court having reviewed the Report and Recommendation of the Hon. J. Richard  
Creatura, United States Magistrate Judge, objections to the Report and Recommendation, if any,  
and the remaining record, does hereby find and Order:

- (1) The Court adopts the Report and Recommendation;
- (2) Plaintiffs motion for injunctive relief is denied. Plaintiff may not seek release from confinement through a civil rights action. Further, plaintiff fails to show either a likelihood of success on the merits or an immediate threat of irreparable injury.

DATED this 12<sup>th</sup> day of September, 2013.



RONALD B. LEIGHTON  
UNITED STATES DISTRICT JUDGE